

This Information Disclosure Statement is being filed:

- ☒ within three months of the filing date of a national application; within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office Action on the merits. 37 C.F.R. § 1.97 (b)
- ☐ **after** three months of the filing date of a national application, or the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or **after** the mailing date of a first Office Action on the merits, but **before** the mailing date of a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), and includes (37 C.F.R. § 1.97 (c):
- ☐ the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below)

OR

- ☐ the fee of \$240 set forth in 37 C.F.R. § 1.17(p) (see "Fees" below).
- ☐ **after** a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see "Certification" below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see "Fees" and "Method of Payment of Fees" below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

CERTIFICATION

- ☐ The **undersigned** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- ☐ The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FEES

- ☒ **No fee** is owed by the applicant(s).
- ☐ The **IDS Fee of \$240.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.

☐ The **Petition Fee of \$130.00** set forth in 37 C.F.R. § 1.17(i) is enclosed herewith.


METHOD OF PAYMENT OF FEES

- ☐ Attached is a check in the amount of \$.
- ☐ Charge Deposit Account No. 070135 in the amount of any deficiency. (A duplicate copy of this communication is enclosed for that purpose.)

In accordance with MPEP Sections 609 and 707.05(b), it is requested the document cited be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully Submitted,

Date: 8/2/04


By: Thomas D. MacBlain
Reg. No. 24,583

Gallagher & Kennedy, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9225
Tel No. (602) 530-8088
Fax No. (602) 530-8500



Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO

(Use as many sheets as necessary)

Sheet	1	of	2
-------	---	----	---

Complete if Known

Application Number	10/748,556
Filing Date	December 29, 2003
First Named Inventor	Gelber et al.
Art Unit	3764
Examiner Name	
Attorney Docket Number	16513-0001

U. S. PATENT DOCUMENTS

U. S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ^{2 (if known)}			
	1	US- 2002/0083508 A1	07/04/2002	Dean	
	2	US- 2002/0188232 A1	12/12/2002	Zvezdaryk	
	3	US- 949,550	02/15/1910	Sabatino	
	4	US- 1,498,680	06/24/1924	Clement et al.	
	5	US- 3,292,628	12/20/1966	Maxwell et al.	
	6	US- 3,671,785	06/20/1972	Fuchs et al.	
	7	US- 3,812,848	05/28/1974	Kollitz	
	8	US- 4,952,981	10/11/1977	Bachmann	
	9	US- 4,570,616	02/18/1986	Kunz et al.	
	10	US- 5,067,478	11/26/1991	Berlant	
	11	US- 5,070,862	12/10/1991	Berlant	
	12	US- 5,181,504	01/26/1993	Ono et al.	
	13	US- 5,486,680	01/23/1996	Lieberman	
	14	US- 5,519,292	05/21/1996	Taylor et al.	
	15	US- 5,601,529	02/11/1997	Wollman	
	16	US- 5,643,480	07/01/1997	Gustavsson et al.	
	17	US- 5,648,003	07/15/1997	Liang et al.	
	18	US- 5,902,256	05/11/1999	Benaron	
	19	US- 6,060,693	05/09/2000	Brown	

FOREIGN PATENT DOCUMENTS

[illegible]

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Gelber et al.

Serial No.: 10/748,556

Filing Date: December 29, 2003

Title: Massage Glove

CERTIFICATE OF MAILING BY EXPRESS MAIL
"Express Mail" Label Number EL919128224US

I hereby certify that this correspondence, consisting of:

1. An Information Disclosure Statement (3 pages);
2. Form PTO 1449 (2 pages);
3. Copies of 23 references; and
4. A return-receipt postcard

are being deposited in the United States Postal Service as Express Mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on

8/12/04
Date

Suzanne Shields
Suzanne Shields

GALLAGHER & KENNEDY, P.A.
2575 East Camelback Road
Phoenix, Arizona 85016-9255
Tel. No. (602) 530-8000
Fax. No. (602) 530-8500